



Down the road with communication and resolution programs

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A few years after some major institutions embarked upon organization-wide communication and resolution programs, some positive results have been seen. So, what are some of the characteristics of the best ones out there?

Better communication and thoughtful responses to adverse patient outcomes can help prevent or mitigate the impact of a medical malpractice lawsuit or claim. One way health care organizations have been tackling this problem in the past few years is by using communication and resolution (CRP) programs.

Communication and resolution programs are rapidly becoming a best practice for health care organizations to deal with injuries that happen to patients during the delivery of health care. A communication and resolution program is founded on the principle that liability costs can be decreased and patient safety increased by the disclosure of unanticipated outcomes to patients and the proactive practice of seeking early resolutions. These programs are designed to bring providers and patients together to address and resolve adverse outcomes and to prevent future similar occurrences.

Organizations such as the University of Washington have, through the Collaborative for Accountability and Improvement, offered an approach to the utilization and implementation of such a program. The benefits of the program include:

- Support to families to heal and move forward after an adverse outcome
- Support to health care providers involved in the adverse outcome
- Support for a culture of accountability and continued learning at health care institutions
- Faster, more positive resolutions

Any CRP requires a commitment to patient-centered quality and safety, and the University of Washington has described the core commitments necessary for a successful program. These include:

- Transparency
- Analyzing the adverse event and developing action plans to prevent recurrence
- Supporting the emotional needs of the patient and family as well as the care team affected by the event
- Proactively and promptly offering financial and non-financial resolutions to patients when adverse events were caused by unreasonable care
- Educating patients and families about their right to seek legal representation at any time
- Working collaboratively with professional liability insurers and other health care organizations to respond to adverse events involving multiple parties
- Frequently assessing the effectiveness of the CRP

Some of the key components in the CRP process are described as:

- Commitment from leadership
- Operational elements, such as alignment of policies
- Integrated functions, such as patient relations and risk management
- Ensuring a robust event analysis process
- Providing for anonymous reporting
- Optimized legal protections for quality improvement and peer review information
- Providing immediate feedback to individuals reporting the event

Recent reports indicate that CRPs have been very successful in resolving adverse events. However, Physicians Insurance Association of America (PIAA) indicated that two important principles must be maintained:

1. “Apologies and offers must be protected. Expressions of sympathy, concern, including admissions of fault and offers to provide assistance to a patient or family may not be used against the healthcare professional in court.”
2. “Terms and timing should not be required. Arbitrary deadlines for making an offer of restitution and the conditions within such offers should not be mandated. Improved communications will be sufficient to ensure that a patient’s needs are understood and that sufficient time is allowed to ensure that the appropriate compensation if any is provided.”

Conclusion

Many organizations are embarking on implementing communication and resolution programs. The success of these programs depends on the commitment of the organization to aligning policies, communicating internally and supporting patients and families when an adverse event occurs. It is a kinder gentler approach to resolution than a lawsuit and has seen significant success.

Sources

Collaborative for Accountability and Improvement, website <http://communicationandresolution.org/communication-and-resolution-programs/the-benefits/>

PIAA Communication and Resolution Programs 7/24/2014 https://www.piaa.us/docs/GR/Communication_and_Resolution_Programs.pdf

UMHS malpractice approach wins praise <https://www.michigandaily.com/news/tbd?page=0,1>

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